

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DONALD J. DELANGHE, as trustee of the
Trust Agreement of Donald J. DeLanghe,
and TERESA M. DELANGHE, as trustee of
the Trust Agreement of Teresa M. DeLanghe,

Plaintiffs,

v.

ORDER

Civil File No. 13-3429 (MJD/TNL)

ARCHER DANIELS MIDLAND
COMPANY,

Defendant.

Benjamin J. Hamborg and Court J. Anderson, Henson & Efron, P.A., Counsel for Plaintiffs.

John M. Sheran and Curtis D. Ripley, Stinson Leonard Street LLP, Counsel for Defendant.

The above-entitled matter comes before the Court on Defendant's letter request for permission to file a motion for reconsideration. [Docket No. 62] Plaintiffs have filed a letter opposing Defendant's letter. [Docket No. 63]

On January 12, 2016, this Court denied Defendant's Motion for Summary Judgment and granted in part and denied in part Plaintiffs' Motion for Summary

Judgment. [Docket No. 59] As part of the Court's Order, the Court granted summary judgment for Plaintiffs on liability on Count Five, Conversion, and Count Six, Civil Theft. Defendant now requests permission to file a motion for reconsideration of the Court's ruling with respect to civil theft and conversion on the grounds that groundwater is not property of Plaintiffs.

The Local Rules provide that party may only file a motion for reconsideration "with the court's prior permission" and after showing "compelling circumstances." L.R. 7.1(j). The Court concludes that Defendant has met this standard.

Accordingly, based upon the files, records, and proceedings herein, **IT IS
HEREBY ORDERED:**

1. Defendant's request to file a motion for reconsideration [Docket No. 62] is **GRANTED**.
2. Within fourteen days of the date of this Order, Defendant shall file its motion for reconsideration and supporting documents. Plaintiffs shall file their opposition within fourteen days after the motion is filed. Defendant may file a reply brief within seven days after the opposition. Defendant's opening brief and reply shall total no more than

3,000 words. Plaintiffs' opposition brief shall total no more than 3,000 words.

Dated: February 17, 2016

s/ Michael J. Davis

Michael J. Davis

United States District Court